

ACT of the TOWN-COUNCIL of EDINBURGH for keeping CLEAN the
STREETS, and preventing NUISANCES, dated 9th April 1777;

Enacts, Statutes, and Ordains,

I. THAT no water, ashes, filth, or other nuisance, be thrown at any time from doors, windows, or stairs; nor any carpets or floor-cloths shaked from a window.

II. That all nuisances be laid out only in the morning before seven o'clock, from 1st March to 1st September, and before eight o'clock, during the other half of the year; and carpets shaked or dusted before eight o'clock in the morning, throughout the whole year.

III. That nuisances shall not, upon any pretence, be laid out on Sunday.

IV. That the possessor of each house shall sweep and preserve from all nuisances, the common stair immediately below, and leading to such house, at least twice every week; and when any storey or lodging is void, the possessor of the storey above shall be bound in the same manner as the possessor of such void storey would be as aforesaid.

V. That no chaff be emptied or laid upon the street; but every person having chaff-beds to empty, are to inform the scavenger of the bounds, who is hereby commanded, without delay, to carry and empty the same into the bottom of the dung cart of the bounds.

VI. That no ashes be riddled upon the street; and the riddles of those offending are hereby declared confiscated, for which purpose the town-officers, town-guard soldiers, porters, and scavengers are impowered and required to seize all riddles.

VII. That no spouts of any kind, for conveying water and other nuisances from houses on the outside of the walls, shall be kept or used, under the penalty of Ten Shillings Sterling, payable by the possessor, beside the expense of process, and of demolishing the spout.

VIII. All dung, bark, and timber, (private property,) laid upon the street, shall, under the penalty of Ten Shillings Sterling, be carried off immediately, or at least within three hours after laid out, otherways, and beside the penalty, the same is hereby declared confiscated; and the tacksman of the bounds where it is laid, is authorised and required to carry it away as other nuisances; wherein if he fail, the Magistrates shall be at liberty to dispose of it; and if allowed to lie upon the street for one night, the person from whose possession it has been brought shall be liable in a further penalty of Ten Shillings Sterling.

IX. That no rubbish, earth, stones, casks, packing-boxes, or other obstructions, be left upon the streets, or any of the avenues to the city, under the penalty of Ten Shillings Sterling.

X. That masons shall not hew or dress stones upon the street, without a permission from the Magistrates in writing; and all rubbish or earth dug out of the foundations or areas of buildings, shall be carried off the street the same day it is laid out, under the like penalty of Ten Shillings Sterling.

XI. That in this act, the word *nuisance* comprehends dung, filth, herbs, greens, roots, ashes, dust, straw, chaff, bark, rubbish, and water; and the word *street* comprehends all streets, closes, wynds, courts, squares, vennels, and areas, within the city and liberties.

XII. That for every trespass against any of the foregoing regulations, whereto no particular penalty is annexed, the penalty for the first offence shall be 2 s. for the second offence 5 s. and for the third offence Ten Shillings, besides twenty-four hours confinement in the tolbooth, or city-guard, of the person who actually committed the offence; without prejudice to every person injured, their suing for damages and indemnification as accords; and that the foreaid penalties shall be chargeable on, and payable by the possessor of the houses from whence the nuisance shall have been thrown or brought, as well as the person transgressing.

XIII. That the one half of all fines or penalties shall belong to the informer, or the person prosecuting for the same.

XIV. If any town-officer, town-guard soldier, porter, or scavenger, shall know of any offence committed against this act, and not report the same to the Magistrates at the Council-Chamber, within twenty-four hours, where a book is to lie for that purpose, he shall be dismissed the town's service.

As by experience it is found, that the prosecuting and convicting of servants, has not answered the intention of former regulations upon this subject, the procurator-fiscal is hereby enjoined henceforward to cite the possessors, that is, the master or mistress of the family; and it is recommended to the Magistrates to proceed with perseverance and vigour; and in questions betwixt masters and servants, to sustain the servants having been guilty of transgressing this act while in their service, as a sufficient ground for dismissing such servant.

Persons easing themselves (*Deut. xxiii. 12. 13.*) in stairs, or in closes, wynds, courts, or squares, to be carried to the next constable, who is hereby empowered to confine them to the City Guard for four hours, unless the offender instantly pay Sixpence Sterling, which shall belong to the person who first makes the challenge.